

CHAPTER 4 CONSULTATION AND COORDINATION

4.1 Introduction

This chapter summarizes public and agency involvement activities undertaken by the US Department of Agriculture, Forest Service (Forest Service or USFS) for the proposed upgrade of the Jack Rabbit to Big Sky 161 kilovolt (kV) Project (Project). These activities have been conducted for the Project in order to satisfy the National Environmental Policy Act (NEPA) requirements for public scoping, agency consultation and coordination. Federal agencies preparing an Environmental Impact Statement (EIS) must “make diligent efforts to involve the public in preparing and implementing their NEPA procedures” (40 Code of Federal Regulations [CFR] 1506.6(a)). Council on Environmental Quality (CEQ) regulations provide guidance on the scoping process, including inviting participation of affected federal, state, and local agencies, Native American Tribes, as well as any other interested parties (40 CFR 1501.7(a)(1)).

The USFS is the federal lead agency pursuant to NEPA. Appendix F of this FEIS presents the distribution list that identifies the entities that received a copy of this document. Consistent with the NEPA procedures, public participation and agency consultation for this Project have been accomplished through issuance of public notices, public scoping meetings, and formal and informal consultation with agencies, stakeholders, landowners, and Native American Tribes. The consultation and coordination process helped determine the scope of this FEIS; identify a range of alternatives and mitigation measures; and define potential environmental impacts and impact significance. The Project team sought public and agency input on the Project by encouraging the review of the EIS.

4.2 Pre-Application Activities

As a preliminary step in the permitting process, NorthWestern Energy (NorthWestern) conducted pre-application meetings with the Forest Service in 2008. In May 2008, NorthWestern officially submitted an application to amend the Special Use Authorization Application to the Forest Service for the Proposed Action. The Forest Service accepted the application in August 2008, and the preparation of the EIS began in late 2009 and into early 2010.

4.3 Scoping Process

Scoping is an early and open process for determining the scope of issues to be addressed, and identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in the EIS (40 CFR 1501.7). The public, affected agencies, Native American Tribes, and other interested parties are invited to participate in the environmental review process. In accordance with NEPA requirements, the Forest Service completed initial Project scoping during April 2009 and after internal review, determined that the preparation of an EIS is the appropriate level of analysis for the Proposed Project. Under NEPA, project scoping must be conducted both internally with appropriate Forest Service staff, and externally with interested and potentially affected public, agencies, tribes, and organizations (40 CFR 1501.7). All supporting documents described in this section are available for review in the Project Record.

4.3.1 Notice of Intent

To comply with NEPA 40 CFR 1508.22, the Forest Service published a Notice of Intent (NOI) to prepare a EIS for the Jack Rabbit to Big Sky Project in the Federal Register on June 8, 2010. The NOI initiated the 30-day public scoping period for the EIS and requested all comments be received by July 8, 2010. The NOI, published in the Federal Register, asked for public comment on the proposal following publication of the NOI. In addition to the Federal Register notice, postcards and e-mails providing notification of the Proposed Project route centerline, the intent of the Forest Service to prepare an EIS, a description of the Proposed Project, Proposed Project timelines, methods to provide comments, and comment deadlines were sent to landowners, agencies, and interested parties retained on a Forest Service mailing list, and to landowners having land parcels within the Proposed Project area. All supporting documents described in this section are available for review in the Project Record.

4.3.2 Scoping Notification

Postcards and E-mails

During initial scoping, on March 6, 2009, Dear Interested Party letters were sent to other landowners, agencies, and interested parties retained on a mailing list developed by the Forest Service. The notification packet included the letter, a project summary and map showing the preliminary route under consideration, a continued interest confirmation form, and before and after (simulation) photographs.

Around the time that the NOI to prepare an EIS was published in the Federal Register, a total of 330 postcards and 24 e-mails were sent on May 17, 2010 (see Scoping Summary Report in the EIS Project Record) to elected officials, federal, state and local agencies, organizations, permittees, landowners and interested individuals providing notification of the Project route centerline and the intent of the Forest Service to prepare an EIS. A description of the Project, Project timelines, and methods to provide comments and comment deadlines were also included.

Press Release and Paid Announcements

The Forest Service issued a press release about the availability of the opportunity to comment in March 2009, as well as announcing the NOI to the local media on June 7, 2010 (refer to the Project Record for supporting documents). This information was also posted to the Forest Service website announcing the Project and requesting comments. The Bozeman Daily Chronicle ran an article on the Project DEIS from the press release.

Newspaper Advertisements

A legal notice was posted in the Bozeman Daily Chronicle in March 2009 requesting comments for the initial scoping, and a paid advertisement was placed in the Bozeman Daily Chronicle on May 18, 2010 announcing the NOI to prepare an EIS for the Project and requesting comments.

Forest Service Website

The Forest Service posted information on the Project Web site at <http://www.fs.fed.us/r1/gallatin/> (navigate to Lands and Resources Management, then Projects, and then Jack Rabbit to Big Sky 161 kV Transmission Line Upgrade). This website included the official NOI, Project description,

how to submit comments, point of contacts for more information, preliminary Project map, as well as information pertaining to the initial Project scoping effort (refer to the EIS Project Records, including the scoping report). The Forest Service accepted comments through July 8, 2010 through e-mail or facsimile correspondence.

Agency Contacts

In compliance with NEPA procedures 40 CFR 1506.6 (a), 40 CFR 1501.7(a)(1), the section below identifies federal, state, or local agencies contacted in preparation of the EIS.

Advisory Council on Historic Preservation

Montana Fish, Wildlife and Parks

Lydia Bailey, GIS Manager, GISP Helena, MT
 Adam Messer, Data Analyst..... Helena, MT
 Julie Cunningham, Regional Wildlife Biologist Bozeman MT

Montana Natural Heritage Program

Meghan Burns, Landscape Ecologist Missoula, MT
 Martin Miller, Data Assistant..... Helena, MT
 Karen Walker, Biological Data Systems Coordinator..... Helena, MT

Montana Department of Transportation (MDT)

Rob Buckvich.....Bozeman, MT
 Jean Riley Helena, MT

Montana Department of Natural Resources and Conservation (DNRC)

Craig CampbellBozeman, MT

Montana Department of Environmental Quality

Impacts Assessment Bureau: Tom Ring Helena, MT
 Water Quality: Jeff Ryan..... Helena, MT
 Tom Ellerhoff Helena, MT

Montana State Historic Preservation Office (SHPO)

Damon Murdo Helena, MT

United States Fish and Wildlife Service (USFWS)

Katrina Dixon..... Helena, MT

Gallatin County

Dennis Hoeger, Hoeger-Jackson & Associates (real estate appraisal firm)

Other agencies that provided comments included the US Environmental Protection Agency (EPA) Region 8, Montana Fish, Wildlife and Parks, and the MDT.

Tribal Contacts

Confederated Salish and Kootenai Tribal Historic Preservation Office (THPO), Eastern Shoshone Tribe THPO, Crow Tribal Council, Crow Cultural Committee, Nez Perce Tribe, Shoshone-Bannock Business Council, and Wind River Shoshone Cultural Committee

4.4 Scoping Comments and Issues

Comments were received from federal and state agencies, the Big Sky Community Corporation (a non-profit private organization), and private citizens. Agencies that provided comments included the EPA Region 8, Montana Fish, Wildlife and Parks, and the MDT. Government-to-government Tribal consultation with the Confederated Salish and Kootenai THPO, Eastern Shoshone Tribe THPO, Crow Tribal Council, Crow Cultural Committee, Nez Perce Tribe, Shoshone-Bannock Business Council, and Wind River Shoshone Cultural Committee was initiated by the Gallatin National Forest (GNF) to identify issues of concern to Native Americans regarding the Proposed Project. Comments were provided by email, letter, and written correspondence to the Forest Service. Using the comments received, the interdisciplinary team (ID) developed a list of issues to address. The comments received may be found in the Project Record.

Seventeen broad categories were used to organize the comments received during the initial scoping period into which 27 specific issues were identified by agencies and the general public. A total of 39 comment letters were received with multiple issues often commented on the same letter. Section 4.4.1, below, summarizes the broad categories and issues expressed during the initial scoping period. The level of concern for each issue was determined by Forest Service staff. Forest Service staff met with individuals, home owner and neighborhood associations that requested meetings.

4.4.1 Issues Identified During Initial Project Scoping

Aesthetics (3 Issues)

Preserve the scenery/aesthetics in Gallatin Canyon – suggest a buried line especially near Cascade, Greek Cr, near Rockhaven and Beckman Flats.

Tree removal near cabins would negatively affect aesthetics, share, and increase noise from highway in particular near Greek Creek cabins and Cascade cabins.

Cave Creek Cabins – preserve views, do not remove trees and lines pose a health risk

Fire Risk (2 Issues)

The transmission line will increase the risk of fire.

Remove slash and debris to minimize fire risk.

Health Risk (1 Issue)

There is an unacceptable health risk from 160 kV lines near home with an increased risk of cancer.

Historical Properties (1 Issue)

Protect historic properties and comply with National Historical Preservation Act

Land Use (5 Issues)

Cabin owners need notice of work schedule, road blockage, power outages. If there are extended periods when cabins cannot be used cabin owners deserve compensation.

Cascade group maintains roads and bridges - traffic load from construction will cause substantial expense.

Reduce traffic delays on US Hwy 191

Is US Hwy 191 a scenic byway? If so what protections does that imply?

Property - Homes/cabins will lose value because of large power lines due to health risk, eyesore, noise

Mitigation (1 Issue)

Minimize additional access roads and the right of way width. Fully restore disturbed lands.

Noise (1 Issue)

Tree removal near cabins would negatively affect aesthetics, shade and increase noise from highway in particular near Greek Creek cabins and Cascade cabins.

Recreation (1 Issue)

Recreation use will be diminished.

Route Location (6 Issues)

Fully explore the alternative to bring a bigger line in from the Ennis side rather than upgrade the Gallatin Canyon Line or some other alternative.

Reroute lines to east side of US Hwy 191 in the Cascade Area, move lines so they are not over cabins or bury the lines. The highway right of way may be feasible.

There is a power line from the flashing light on US Hwy 191 through Cascade. Can that be moved or rerouted?

Move poles from in front of cabins to between cabins

Relocate the power line to the east near mile marker 54 for aesthetics, safety and health concerns.

Consider hydro power, solar or wind facility in meadow village as an alternative rather than upgrade of the powerlines. Require conservation.

Vegetation Management (2 Issues)

Invasive weed control – collect a weed bond before construction to ensure no weeds in three years. Use weed free material i.e., gravel. Wash equipment.

Hold commercial permittees to the same high standard for weed control and other protections as individual permittees.

Water Resources (2 Issues)

Surface water is the source for domestic water supply in the cabin group. Protect domestic water supply.

Aquatic habitat protection/Gallatin River

Wildlife (1 Issue)

Wildlife habitat

4.5 List of Preparers

4.5.1 Preparers and Contributors

The following individuals contributed to the preparation of this EIS:

ID Team Members

TABLE 4-1 FOREST SERVICE TEAM MEMBERS

| NAME | RESOURCE(S) |
|-----------------|--|
| Anna Anderson | Fire/Fuels |
| Bev Dixon | Bald Eagle; Big Game Security Cover; Bighorn Sheep; Canada Lynx; Forest Service Management Indicator Species; Forest Service Sensitive Species; Grizzly Bear; Migratory Bird Treaty Act; Northern Goshawk; Peregrine Falcon; Forested Vegetation |
| Fred Haas | Recreation Residences; Recreation and Recreational Values; Inventoried Roadless Areas; Wild and Scenic Rivers; Noise; Hazardous Materials, Waste/Debris Management; Transportation and Traffic; |
| Tom Keck | Soils |
| Susan Lamont | Weeds |
| Mark Novak | Forested Vegetation |
| Barb Ping | General Review |
| Jane Ruchman | Scenery; Recreation and Recreational Values; |
| Teri Seth | ID Team Leader (DEIS) |
| Mark Story | Water Quality; Wetlands |
| Lisa Stoeffler | Bozeman District Ranger |
| Steve Christman | Transportation and Traffic |
| Jonathan Kempff | Human Health and Safety (EMF) |
| Amy Waring | ID Team Leader (FEIS), Floodplains |

TABLE 4-2 POWER ENGINEERS TEAM MEMBERS

| NAME | RESOURCE(S) |
|--|---|
| Ben Bainbridge Mr. Bainbridge is a biologist with experience in laboratory and field research with mammal, avian and amphibian species, plant species, wetlands and silviculture. | Northern Goshawk; Canada Lynx; Bighorn Sheep; Bald Eagle |
| Kurt Bell Mr. Bell has broad-based experience in electrical investigations, electric power transmission line design and power system studies. | Human Health and Safety (EMF); Noise |
| Beth Colket Ms. Colket is a botanist specializing in special status plant species, and sensitive habitats. | Bald Eagle; Big Game Security Cover; Bighorn Sheep; Canada Lynx; Forest Service Management Indicator Species; Forest Service Sensitive Species; Grizzly Bear; Migratory Bird Treaty Act; Northern Goshawk; Peregrine Falcon; Forested Vegetation; Weeds |
| Holly Cunha Ms. Cunha is an environmental specialist providing support on diverse projects. | Soils |
| Dave Dean Mr. Dean is a wildlife ecologist and manager of POWER's Biology Department. | ID Team Leader |
| Bill Doering Mr. Doering is an experienced biologist and wildlife ecologist providing support services for a variety of state and federal government agencies and private clients. | Bald Eagle; Big Game Security Cover; Bighorn Sheep; Canada Lynx; Forest Service Management Indicator Species; Forest Service Sensitive Species; Grizzly Bear; Migratory Bird Treaty Act; Northern Goshawk; peregrine Falcon |
| Gina Fegler Ms. Fegler is a landscape architect specializing in scenic quality assessment, viewshed and sensitivity analysis, and impact assessment. | Scenery |
| Wendy Hosman Ms. Hosman is a professional wetland scientist with expertise in water resources and riparian areas and wetlands. | Water Quality; Wetlands |
| Charles Hutchinson Mr. Hutchinson is a land planner with experience in land use planning and environmental resource impact analysis. | Hazardous Materials, Waste/Debris Management |
| Jim Jensen Mr. Jensen is a project manager with extensive experience in siting, public involvement, agency coordination and NEPA analysis for transmission lines and, renewable energy projects, | Project Manager |
| Kevin Lincoln Mr. Lincoln is a project coordinator with experience managing challenging and diverse utility projects. | Project Coordination and DEIS Preparation |

| NAME | RESOURCE(S) |
|--|---|
| Steve Linhart Mr. Linhart is an environmental specialist with experience performing planning and project management services for infrastructure projects. | Property Values; DEIS Preparation; Project Coordination |
| Cindy Lysne Ms. Lysne has experience in conducting field surveys for rare plants, noxious weed and invasive plants, and wetlands. | Fire/Fuels |
| Jeff Maffuccio Mr. Maffuccio is a land use planner with experience in land use planning, transportation planning and transportation engineering. | Recreation Residences; Hazardous Materials, Waste/Debris Management; Inventoried Roadless Areas; Recreation and Recreational Values; Transportation and Traffic; Wild and Scenic Rivers |
| Jim Rudolph Dr. Rudolph has been a specialist in Section 106 of the National Historic Preservation Act (NHPA) for 20 years and a professional archaeologist for over 30 years. | Historic and Archaeological Sites |
| Ryan Winkleman Mr. Winkleman is a biologist with experience in field research, environmental data acquisition, and construction monitoring. | Peregrine Falcon; Grizzly Bear; Big Game Security Cover; Migratory Bird Treaty Act Species |
| Heidi Horner Ms. Horner is an experienced technical writer and document specialist responsible for editing and supporting the writing for environmental documents. | Technical Editor |
| Kira Kefer Ms. Kefer is an administrative professional specializing in document management, control, and production for environmental projects. | Document Management |